

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

BUERGOFOL GMBH, Plaintiff and Counter Defendant, vs. OMEGA LINER COMPANY, INC., Defendant and Counter Claimant.	4:22-CV-04112-KES DECLARATION OF MONTE BOND IN SUPPORT OF OMEGA’S MOTION TO COMPEL DISCOVERY FROM U.S. CUSTOMS AND BORDER PROTECTION
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1. Attached hereto as **Exhibit A** is a true and correct copy of the Subpoena to Produce Documents, Information, or Objects, or to Permit Inspection of Premises in a Civil Action upon U.S. Customs and Border Protection (“CBP”) with Attachment A dated April 1, 2024.

2. Attached hereto as **Exhibit B** is a true and correct copy of the Letter from CBP to Omega in response to Ex. A dated April 22, 2024.

3. Attached hereto as **Exhibit C** is a true and correct copy of the Letter from Omega to CBP enclosing the Summons and Complaint in this action and a statement that sets forth a summary of the documents sought dated April 25, 2024.

4. Attached hereto as **Exhibit D** is a true and correct copy of the decision from CBP dated May 22, 2024.

5. After receiving the CBP decision, I attempted to reach out to Ms. Lois Wetzel, counsel for CBP identified in the decision as the contact person, to discuss whether an agreement could be reached on production and the possibility of limiting the request to accommodate CBP. I made at least two calls to the number provided and left voice messages but never received a response from Ms. Wetzel or any other attorney representing CBP.

6. Attached hereto as **Exhibit E** is a true and correct copy of the email from Omega to CBP dated June 3, 2024 in response to the CBP decision.

7. On July 9, 2024, prior to filing the accompanying motion, I again called Ms. Wetzel and left a voice message to discuss the possibility of reaching an agreement pursuant to the meet and confer requirements pursuant to Local Rule 37.1. As of the filing of this motion, I have not received a response from Ms. Wetzel or any other attorney representing CBP.

Dated this 12th day of July, 2024.

A handwritten signature in cursive script, reading "Monte Bond".

Monte Bond